

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ESTATE OF SHELDON SHAFFER, and DIANNE
H. SHAFFER, individually and as joint tenant, and
in her capacity as Personal Representative of the
Estate of Sheldon Shaffer,

Defendants.

Adv. Pro. No. 10-04676 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Estate of Sheldon Shaffer, and Dianne H. Shaffer, individually and as joint tenant, and in her capacity as Personal

Representative of the Estate of Sheldon Shaffer (“Defendants”), by and through their counsel, Blake Shepard of Stinson Leonard Street LLP and Tracy L. Klestadt of Klestadt Winters Jureller Southard & Stevens, LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Sheldon Shaffer, individually and as joint tenant, and Diane Shaffer, individually and as joint tenant.

2. On October 15, 2012, a Stipulation for Substitution of Defendant Sheldon Shaffer, deceased, with Defendants Estate of Sheldon Shaffer, and Dianne H. Shaffer, in her capacity as Personal Representative of the Estate of Sheldon Shaffer was filed.

3. On January 17, 2014, Defendants The Estate of Sheldon Shaffer, and Dianne H. Shaffer, individually and as joint tenant, and in her capacity as Personal Representative of the Estate of Sheldon Shaffer served an answer on the Trustee.

4. On March 25, 2015, the Parties entered into a partial settlement agreement and stay of further proceedings until resolution of Bankruptcy Code Section 546(e) appeal pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

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Dated: July 1, 2015

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Madoff Investment Securities LLC and the
Estate of Bernard L. Madoff*

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*Attorneys for Defendants Estate of Sheldon
Shaffer, and Dianne H. Shaffer,
individually and as joint tenant, and in her
capacity as Personal Representative of the
Estate of Sheldon Shaffer*

SO ORDERED

Dated: July 1, 2015
New York, New York

/s/ Stuart M. Bernstein
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE